

Date of Deposit: March 5, 2002



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Shimkets and Leach

SERIAL NUMBER : 09/472,688

EXAMINER : Marjorie Moran

FILING DATE : December 27, 1999

ART UNIT : 1631

FOR : Nucleic Acids Containing Single Nucleotide Polymorphisms and Methods of Use Thereof

TECH CENTER 1600/2900

MAR 14 2002

RECEIVED

BOX IDS

Assistant Commissioner for Patents
Washington, D.C. 20231

30623

PATENT TRADEMARK OFFICE

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Cited References B9-B13 and C26-C33;
4. Check Number: 11941 for \$180.00; and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 15966-534C CIP1. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

For Christina V. Karmalis,
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Dated: March 5, 2002



30623

PATENT TRADEMARK OFFICE

Express Mail Label No.: EV058074789US

Date of Deposit: March 5, 2002

Attorney Docket No.: 15966-534C-1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Shimkets and Leach

SERIAL NUMBER: 09/472,688

EXAMINER: Marjorie Moran

FILING DATE: December 27, 1999

ART UNIT: 1631

FOR: Nucleic Acids Containing Single Nucleotide Polymorphisms and Methods of Use Thereof

TECH CENTER 1600/2900

MAR 14 2002

RECEIVED

BOX IDS

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed more than three months after the mailing date of the International Search Report for PCT application PCT/US00/35346 that corresponds to the above-referenced application but before the mailing date of a final action under 37 C.F.R. §1.113. Accordingly, the fee of \$180 as set forth in 37 C.F.R. 1.17(p) is enclosed.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

03/12/2002 MGBREM1 00000114 09472688

01 FC:126

180.00 OP


APPLICANTS: Shimkets and Leach
U.S.S.N.: 09/472,688

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 15966-534C CIP1.

Respectfully submitted,


Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, Massachusetts 02111
Tel: (617) 542-6000
Fax: (617) 542-2241

Reg. No. 45,899

Dated: March 5, 2002

TRA 1636969v1

Please type a plus sign (+) in this box



Approved for use through 9/30/00. OMB 0651-0001
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Applicant Number	09/472,688
	Filing Date	12/27/99
	First Named Inventor	Shimkets
	Group Art Unit	1631
	Examiner Name	Moran
	Attorney Docket Number	15966-534C-CIP1

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
	B9	WO	98/38846	Affymetrix, Inc.	09/11/1998		
	B10	WO	98/30717	Biocem S.A.	07/16/1998		
	B11	WO	98/21316	The New York Blood Center, inc.	05/22/1998		
	B12	WO	98/18967	Affymetrix, Inc.	05/07/1998		
	B13	EP	0,785,280	Affymetrix, Inc.	07/23/1997		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C26	Mahairas, et al. (1999). <i>Proc. Natl. Acad. Sci. USA</i> 96: 9739-9744
	C27	Maeda, et al. (1990). <i>J. Biol. Chem.</i> 265(16): 9027-9032.
	C28	Fan, et al. (1997). <i>Am. J. Human Genetics</i> 61(4 supp): 1601. (Univ. of Chicago Press).
	C29	Wang, et al. (1998). <i>Science</i> 280: 1077-1082.
	C30	Xiong and Jin (1997). <i>Am. J. Human Genetics</i> 61(4 supp): 1759.
	C31	EMBL Accession Number: AQ781771 (08/03/99).
	C32	EMBL Accession Number: J05451 (08/21/90).
	C33	International Search Report for PCT/US 00/35346. Mailed on November 23, 2001.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RECEIVED

MAR 14 2002

TECH CENTER 1600/2900

Express Mail No. EV058074789US

Date of Deposit: March 5, 2002

Please type a plus sign (+) in this box



Page 1 of 1

PTO/SB (12-5)

Approved for use through 9/30/00. OMB 05-51-003
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Application Number	09/472,688
	Filing Date	12/27/99
	First Named Inventor	Shimkets
	Group Art Unit	1631
	Examiner Name	Moran
	Attorney Docket Number	15966-534C-CIP1

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B9	WO	98/38846	Affymetrix, Inc.	09/11/1998		
	B10	WO	98/30717	Biocem S.A.	07/16/1998		
	B11	WO	98/21316	The New York Blood Center, inc.	05/22/1998		
	B12	WO	98/18967	Affymetrix, Inc.	05/07/1998		
	B13	EP	0,785,280	Affymetrix, Inc.	07/23/1997		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C26	Mahairas, et al. (1999). <i>Proc. Natl. Acad. Sci. USA</i> 96: 9739-9744
	C27	Maeda, et al. (1990). <i>J. Biol. Chem.</i> 265(16): 9027-9032.
	C28	Fan, et al. (1997). <i>Am. J. Human Genetics</i> 61(4 supp): 1601. (Univ. of Chicago Press).
	C29	Wang, et al. (1998). <i>Science</i> 280: 1077-1082.
	C30	Xiong and Jin (1997). <i>Am. J. Human Genetics</i> 61(4 supp): 1759.
	C31	EMBL Accession Number: AQ781771 (08/03/99).
	C32	EMBL Accession Number: J05451 (08/21/90).
	C33	International Search Report for PCT/US 00/35346. Mailed on November 23, 2001.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

 RECEIVED
 MAR 14 2002
 TECH CENTER
 600/2900